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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/513,040 02/25/00 JIAO

J	98,786
EXAMINER	

020306 MMC2/0503
MCDONNELL BOEHNEN HULBERT & BERGHOFF
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CHICAGO IL 60606

ART UNIT CHOI, J	PAPER NUMBER
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DATE MAILED:
2873

05/03/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/513,040

Applicant(s)

JIAO ET AL.

Examiner

Jacob Y Choi

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claims ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02/25/2000 is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 18) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

DETAILED ACTION

Drawings

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "74" has been used to designate both first facets and light producing element. Correction is required.
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "P3" has been used to designate both point and source point. Correction is required.
4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: reference number 64 in Fig. 2, reference number 104, 102, 86, 88, 90, and 100 in Fig. 3, 160 in Fig. 4 . Correction is required.
5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: reference number 22 in Fig. 1, 138, 139, 144, a, and I in Fig. 4. Correction is required.
6. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, "a securing means for

securing the reflector to the lens means" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

7. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, "a mounting means for mounting the lighting source in the semi-circular reflector portion" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Specification

8. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

9. Applicant is reminded of the proper language and format for an abstract of the disclosure.

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The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

10. The following guidelines illustrate the preferred layout and content for patent applications. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

The following order or arrangement is preferred in framing the specification and, except for the reference to "Microfiche Appendix" and the drawings, each of the lettered items should appear in upper case, without underlining or bold type, as section headings. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) Title of the Invention.
 - (b) Cross-References to Related Applications.
 - (c) Statement Regarding Federally Sponsored Research or Development.
 - (d) Reference to a "Microfiche Appendix" (see 37 CFR 1.96).
 - (e) Background of the Invention.
 - 1. Field of the Invention.
 - 2. Description of the Related Art including information disclosed under 37 CFR 1.97 and 1.98.
 - (f) Brief Summary of the Invention.
 - (g) Brief Description of the Several Views of the Drawing(s).
 - (h) Detailed Description of the Invention.
 - (i) Claim or Claims (commencing on a separate sheet).
 - (j) Abstract of the Disclosure (commencing on a separate sheet).
 - (k) Drawings.
 - (l) Sequence Listing (see 37 CFR 1.821-1.825).
11. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

12. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

13. Claims 1-6, and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "generally positioned about" in claim 1 is a relative term which renders the claim indefinite. The term "generally positioned about" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. The term "generally positioned about" does not provide adequate description of how a tubular light source is positioned respect to a reflector.

The term "generally" in claim 4 is a relative term which renders the claim indefinite. The term "generally" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. The term "generally" does not provide adequate description of how smooth the semi-circular surface is.

With regards to claim 12, Federal Motor Vehicle Safety Standards would change in time, which makes the claim indefinite.

14. Claims 16 and 17 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence from only. Note the format of the claims in the patent(s) cited.

Claim Rejections - 35 USC § 102

15. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

16. Claims 1-10 and 13-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Lieszkovszky et al. (USPN 6,168,293).

With regards to claim 1, Lieszkovszky et al. fully discloses a reflector portion positioned about a tubular light source, the reflector portion reflecting light emanating from the tubular light source towards an aperture of the tubular reflector, and a semi-circular reflector having a generally smooth reflective surface, the semicircular-reflector coupled to the reflector portion so that light emanating from the tubular light source is

reflected off the semi-circular reflector downwardly from the light source and towards the aperture of the tubular reflector.

With regards to claim 2, Lieszkovszky et al. discloses the reflector portion is a semi-elliptical reflector.

With regards to claim 3, Lieszkovszky et al. discloses a lens means coupled to the semi-circular reflector, the lens means processing the reflected light.

With regards to claim 4, Lieszkovszky et al. discloses a reflective surface disposed on the smooth semi-circular surface.

With regards to claim 5, Lieszkovszky et al. discloses a reflective surface disposed on the semi-circular reflector.

With regards to claim 6, Lieszkovszky et al. discloses the reflective finish disposed on the semi-circular reflector is essentially the same as a reflective finish disposed on the semi-circular surface.

With regards to claim 7, Lieszkovszky et al. fully discloses a semi-circular reflector for positioning about a tubular light source, the semi circular reflector light emanating from the tubular light source, and a multi-faceted reflector coupled to the semi-circular reflector, the multi-faceted reflector having at least two facets positioned at angles to one another so that light emanating from the tubular light source is reflected downwardly from the light source.

With regards to claim 8, Lieszkovszky et al. discloses a lens means coupled to the multi-faceted reflector, the lens means receives and processes the reflected light.

With regards to claim 9, Lieszkovszky et al. discloses securing means for securing the reflector to the lens.

With regards to claim 10, Lieszkovszky et al. inherently has a securing means provided on the reflector.

With regards to claim 13, Lieszkovsky et al. discloses a mounting means for mounting the lighting source in the semi-circular reflector portion.

With regards to claim 14, Lieszkovsky et al. fully discloses a housing portion having an interior reflecting surface, a first reflective finish disposed on the interior reflecting surface, a reflector portion coupled to the interior reflecting surface, a tubular light source mounted in the semi-circular reflector portion, a second reflective finish disposed on the semi-circular reflector portions, and a lens portion coupled to the housing portion such that the reflective finish reflects light from said tubular light source towards the lens portion.

With regards to claim 15, Lieszkovsky et al. discloses the interior reflecting surface having a plurality of facets.

With regards to claim 16, Lieszkovsky et al. discloses the reflector generating a light distribution pattern that satisfies a predefined light distribution pattern.

With regards to claim 17, Lieszkovsky et al. discloses the pluralities of facets are arranged in a step wise orientation so that the reflected light achieves a desired distribution pattern.

With regards to claim 18, Lieszkovsky et al. discloses each facet of the plurality of facets has a similar reflective finish.

With regards to claim 19, Lieszkovsky et al. discloses the reflector is semi-circular.

With regards to claim 20, Lieszkovsky et al. discloses the reflector is semi-elliptical.

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lieszkovsky et al. as applied to claim 7 above, and further in view of Daumueller et al. (USPN 5,975,723).

With regards to claim 11, Lieszkovsky et al. fully discloses a tubular reflector that has been described by the applicant's claim 7. However, Lieszkovsky et al. does not disclose the tubular reflector is used for a vehicle stop lamp. Daumueller et al. discloses a reflector light device for a vehicle that is used for vehicle stop lamp. It would have been obvious in the one skilled in the art at the time the invention was made to combine certain reflector structure to a vehicle stop lamp, since Daumueller et al. also discloses a reflector structure for a vehicle lamp. It is known in art that having a reflector is necessary structure in vehicle lamp device.

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With regards to claim 12, Lieszkovsky et al. fully discloses a tubular reflector that has been described by the applicant's claim 7. It would have been obvious in the one skilled in the art at the time the invention was made to make vehicle light device that meets vehicle safety standards in order to place the product on a vehicle.

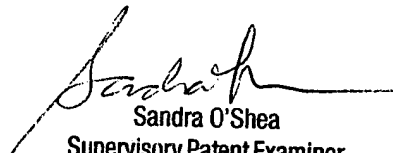
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Y Choi whose telephone number is (703) 308-4792. The examiner can normally be reached on Monday-Friday (8:30-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (703) 305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7724 for regular communications and (703) 308-8303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-7724.

JYC
April 30, 2001


Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800